

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**RUSSELL LANCE HUTCHINS, #37963**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 3:08cv57DPJ-JCS**

**CHRISTOPHER EPPS, STEPHANIE JONES,  
and MARGARET BINGHAM**

**DEFENDANTS**

**FINAL JUDGMENT**

This cause is before the Court, *sua sponte*, for consideration of dismissal. Pursuant to the Order issued this day, it is hereby,

ORDERED AND ADJUDGED that the instant civil action will be dismissed without prejudice as to the habeas claim and with prejudice as to the § 1983 claim for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). This dismissal for failure to state claim will be counted as a strike pursuant to 28 U.S.C. § 1915(g).

**SO ORDERED AND ADJUDGED** this the 23<sup>th</sup> day of May, 2008.

*s/ Daniel P. Jordan III*  
UNITED STATES DISTRICT JUDGE